

REMARKS / DISCUSSION OF ISSUES

Claims 1-11 are pending in the application.

The applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents, and for determining that the drawings are acceptable.

The applicant thanks the Examiner for providing information about recommended section headings in the specification. However, the applicant respectfully declines to add section headings, as they are not required in accordance with MPEP 608.01(a).

Claims are amended for non-statutory reasons: to correct one or more informalities, remove figure label numbers, and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in intended scope and no new matter is added.

The Office action rejects claims 10 and 11 under 35 U.S.C. 112, first paragraph. The applicant respectfully traverses this rejection, but in the interest of advancing prosecution, the text of each independent claim is included within the specification. The applicant respectfully requests the Examiner's reconsideration of the rejection of claims 10 and 11 under 35 U.S.C. 112, first paragraph.

The Office action rejects claims 1-9 under 35 U.S.C. 103(a) over Kovacs et al. (USP 4,916,470, hereinafter Kovacs).

The Examiner's attention is requested to MPEP 2142, wherein it is stated:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Claim 1, upon which claims 2-6 depend, claims a display device that includes a polyelectrochromic material disposed between first and second substrates of a pixel, at least two independent electrodes associated with the first substrate and an independent counter-electrode associated with the second substrate, and means for controlling the voltage applied to each respective electrode for producing non-uniform electric fields in the polyelectrochromic material in each pixel. In like manner, claim 7, upon which claims 8-9 depend, claims a method that includes providing means for controlling the voltage applied to each of at least three electrodes for producing non-uniform electric fields in the polyelectrochromic material in each pixel.

Kovacs fails to teach controlling the voltage applied to each of at least three electrodes for producing non-uniform electric fields in the polyelectrochromic material in each pixel.

Kovacs teaches a conventional electrochromic display in which each pixel includes sub-pixels that provide different colors. Kovacs' FIG. 4 illustrates a pixel having two transparent electrodes 35 and 37 that form sub-pixels. Each electrode 35, 37 is coated with an electrochromic material 41 that provides the sub-pixel's color. In Kovacs' design, the sub-pixel is configured to act as a filter. When a voltage difference is provided between a sub-pixel electrode and the pixel common electrode 39, the sub-pixel's electrochromic material is activated, and all colors except the sub-pixel's color are filtered out.

Kovacs does not teach that the electrochromic material is polyelectrochromic, and does not teach that different colors are produced by a non-uniform electric field in the polyelectrochromic material. The sub-pixel arrangement of Kovacs produces a uniform field within each sub-pixel's electrochromic material. If, for example, Kovacs' electrode 35 is activated to provide a potential difference between electrode 35 and common electrode 39, a uniform electric field is produced within the electrochromic material atop electrode 35, with lines of force substantially perpendicular to the surface of electrode. In like manner, a potential difference between electrodes 37 and 39 will produce a uniform electric field within the electrochromic material atop electrode 37.

Because Kovacs fails to teach a structure or method that includes producing non-uniform electric fields in polyelectrochromic material in each pixel, as specifically claimed in each of the applicant's independent claims, the applicant respectfully maintains that the rejection of claims 1-9 under 35 U.S.C. 103(a) over Kovacs is unfounded, per MPEP 2142.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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